

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Criminal No. 13-10048-FDS
)
)
KING BELIN)

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(A), the parties are hereby jointly filing the following status report prepared in connection with the Initial Status Conference scheduled for April 24, 2013.

1. Automatic Discovery Status/Outstanding Discovery Requests

Automatic discovery was provided in this case by hand on 3/6/13. A supplement to that letter was sent out on 3/20/13 enclosing grand jury testimony. No discovery letter or motion has been filed to date.

2. Additional Discovery

The government does not presently anticipate producing or requesting any other additional discovery except expert disclosures and any pretrial discovery required by the Local Rules. Should the government receive any reports or other discoverable information in addition to that outlined above, it will be produced as required by Rule 16 and the Local Rules. The defendant does not anticipate producing any additional discovery other than that set forth in paragraph 6, below.

3. Timing of Additional Discovery Requests

The defendant is reviewing the discovery provided by the

government. Although the defendant does not presently anticipate making any additional discovery requests, he reserves the right to file such a request on or before the Interim Status Conference date set by the Court.

4. Protective Orders

It does not presently appear that any protective orders are anticipated by the parties. Should that change, the parties will address those issues promptly.

5. Pretrial Motions

If discovery motions are necessary, the parties will propose a filing schedule at the Interim Status Conference. The parties will propose a schedule for any additional pretrial motions (including any motion to suppress) at the Final Status Conference.

6. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the firearm involved in this case, it will offer expert testimony regarding the charged firearm and ammunition, i.e., that the items seized at arrest are a "firearm" and "ammunition" within the meaning of 18 U.S.C. §§921(a)(3) and (17).

The government also expects to introduce expert opinion at trial that the charged firearm and ammunition have the requisite nexus with interstate commerce (i.e., that they crossed a state line or an international boundary prior to being seized as alleged in the indictment) and with respect to the latent fingerprints found on the magazine of the charged firearm and on

the bag containing the extra bullets that the defendant was carrying in a cigarette pack and the identification of those prints as belonging to the defendant. The government has already provided the defendant with reports relating to anticipated expert testimony. The government proposes making expert disclosures 21 days before trial and defendant will make its disclosures 7 days before trial.

7. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable since the defendant's arraignment on 3/16/13:

3/6/13-4/24/12	Excluded per Local rule 112.2(a)(1)
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4/24/13- Next Conf.	Excluded per the parties' request
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As of the next Status Conference (assuming that all of the foregoing requests are allowed), 0 days will have been counted and 70 days will remain under the Speedy Trial Act.

8. Next Status Conference

The parties request that an Interim Status Conference be scheduled for the week of June 24, 2013, or as soon thereafter as is convenient for the court and ask that the time between the Initial Status Conference and the Interim Status Conference be

excluded from all Speedy Trial Calculations.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The government hereby certifies that the foregoing was this day filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants.

/s John A. Wortmann, Jr. 4-12-13

JOHN A. WORTMANN, JR.
Assistant U.S. Attorney

